

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**UNITED STATES OF AMERICA**

**VS.**

**PEDRO HERNANDEZ**

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§

**Case No. 2:03CR7(2)**

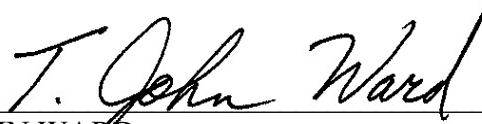
**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
FINDING DEFENDANT GUILTY**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Charles Everingham IV regarding Defendant's plea of guilty and allocution to Counts 19 and 20 of the indictment. In Count 19 of the indictment the defendant was charged with a violation of 21 U.S.C. § 841(a)(1), for possession with intent to distribute and distribution of less than 50 grams of a mixture or substance containing a detectable amount of methamphetamine. In Count 20 of the indictment, the defendant was charged with a violation of 18 U.S.C. § 924(c) for his use and carrying of a firearm during a drug trafficking crime. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the guilty plea of the Defendant. Objections to the Findings of Fact and Recommendation have been waived by all parties. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed November 19, 2009, are hereby ADOPTED.

It is further ORDERED that, pursuant to Defendant's plea agreement, the Court finds Defendant GUILTY of Counts 19 and 20 of the indictment in the above-numbered cause.

SIGNED this 5th day of January, 2010.

A handwritten signature in black ink, reading "T. John Ward". The signature is written in a cursive style with a large, stylized "T" and "W".

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T. JOHN WARD

UNITED STATES DISTRICT JUDGE